

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

SEP 17 2021

TAMMY H. DOWNS, CLERK

By: DEP CLERK

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT COURT OF ARKANSAS
CENTRAL DIVISION**

This case assigned to District Judge Moody
and to Magistrate Judge Volpe

**CHILANDA KAY YANCY, Individually and as the Mother of ;
MARLON LANEIR WATKINS, Deceased Individual, ;
And as Representative of the ESTATE of MARLON ;
LANEIR WATKINS ;**

PLAINTIFF ;

vs. **CIVIL ACTION CASE NO.: 4:21-cv-00826-JM COMPLAINT**

**SHERIFF ED GONZALEZ, Individually and in his OFFICIAL;
CAPACITY AS Sherriff of HARRIS COUNTY, TEXAS ;
and THE HARRIS COUNTY GOVERNMENT and ;
THE HARRIS COUNTY SHERRIFF'S OFFICE and ;
G.H. DAVILA, Officer # S27609 and JOHN DOE, Owner of ;
Vehicle that struck and killed Marlon Watkins ;**

JURY TRIAL DEMANDED

DEFENDANT(s)

PLAINTIFF'S ORIGINAL COMPLAINT

NOW COMES the Plaintiff CHILANDA KAY YANCY, Individually and Plaintiff by and through her attorney, Marcus C. Devine, Devine Legal Services, as personal representative of the Estate of Marlon Laneir Watkins, deceased, *Pulaski County, Arkansas Probate Case No. 60 PR-2021-1953*, complaining about the actions of the Defendants, more specifically, the Harris County Sherriff's Office and Sheriff Ed Gonzales, individually and in his official capacity as Sherriff and Harris County Sheriff's Officer G.H. Davila and for her cause of action against the Defendant(s)

herein alleges and states for her Complaint:

1. NATURE OF THE ACTION

1. This Action is brought by the Plaintiff against the Defendant(s), the Harris County Government, the Harris County Sherriff's Office, Harris County Sheriff's Office Officer G.H. Davila, Badge #S27609 and Sheriff Ed Gonzalez, Individually and in his official capacity as Sherriff of Harris County for the use of excessive force and the reckless and cavalier use of force that led to the death of Marlon Laneir Watkins (also "Watkins") and John Doe, the owner of the vehicle that struck and killed Mr. Marlon Laneir Watkins after he was tased and then chased by the Harris County Sherriff's Office Officer G.H. Davila and/or others. This wrongful death occurred under color of law in violation of Watkins' rights under the Fourth Amendment of the United States Constitution and in violation of his civil rights pursuant to 42 U.S.C. § 1983.
2. Plaintiff alleges that Harris County and the Sherriff of the Harris County Sherriff's Office and its policymakers, specifically Sherriff Ed Gonzalez (collectively referred to as the 'Policymakers') failed to properly train, supervise, screen, discipline, transfer, counsel or otherwise control officers who are known to engage in the use of excessive force and/or deadly force. The Policymakers, specifically Harris County Government and the Harris County Sherriff's Office and Harris County Sherriff Ed Gonzalez had a duty but failed to implement and/or enforce policies practices and procedures for the Harris County Sherriff's Office that respected Marlon Laneir Watkins' constitutional rights. Defendant Harris County and the Harris County Sheriff's Office and Sheriff Ed Gonzales' failure to adequately supervise and discipline their officers, including and not limited to Officer G.H. Davila, implement necessary policies, their unconscionable and cruel failure to communicate with

the grieving family of Marlon Laneir Watkins about his death and the circumstances surrounding his death and their callous and indifferent failure to provide the name of the owner of the vehicle that struck Marlon Laneir Watkins caused unwarranted and excruciating mental anguish to the family of Marlon Laneir Watkins in addition to the physical pain and anguish suffered by Marlon Laneir Watkins as he lay dying in the street after being tased repeatedly and then struck by a vehicle. The policymakers compounded the harm by unnecessarily and deceptively shielding information and bodycam footage of the police encounter from the family of Marlon Laneir Watkins, ostensibly because of an “ongoing police investigation” while never completing or divulging the results of said investigation. Even on the date and at the time that this complaint is being filed, **over 150 days after** the police encounter and the death of Marlon Laneir Watkins, the family has still not been told or shown the circumstances around Marlon Laneir Watkins’ death. This behavior and these actions were cruel and callous and unacceptable and offensive and *WOULD NOT* have occurred if the decedent was Sherriff Gonzales’ son or a County Commissioner’s son. For these civil rights violations and other causes of action discussed herein, Plaintiff seeks answers and the truth and compensation for damages and the wrongful death of Marlon Laneir Watkins.

II. PARTIES

3. Plaintiff Chilanda Kay Yancy is a person of majority age and a resident of Pulaski, County Arkansas. Chilanda Yancy is the mother of unmarried Marlon Laneir Watkins, who was raised in North Little Rock, Arkansas and was a recent and new transplant to Harris County, Texas. Ms. Yancy sues on behalf of herself and as personal representative of the Estate of Marlon Laneir Watkins, deceased.

4. Defendant Ed Gonzales is Sheriff of Harris County. He may be served at 1200 Baker Street, Houston, Texas 77002 or wherever he may be found. Defendant G.H. Davila, Badge number S27609, is an officer of the Harris County Sheriff's Office and may be served at 1200 Baker Street, Houston, Texas 77002 or wherever he may be found. Defendant Harris County is a subdivision of Texas government which operates the Harris County Sheriff's Office. Harris County Judge is Lina Hidalgo and she may be served at 1001 Preston, Suite 911, Houston, Texas 77002. *Due to Covid19 emergency, Legal counsel to County Judge Lina Hidalgo is now accepting service of process via email to CJOservice@cjo.hctx.net.* She may also be served wherever she may be found. As yet, the Harris County Sheriff's Office has callously shielded from our view the identity and insurer for the identity of the owner of the vehicle that struck and killed Marlon Laneir Watkins on March 24, 2021, as such we will refer to that individual as John Doe.

III. JURISDICTION AND VENUE

5. Jurisdiction exists for this proceeding in this Court pursuant to 28 USC §1331 and §1332 and §1343 as this action is brought under, *inter alia*, the Fourth Amendment of the United States Constitution and 42 U.S.C. § 1983, to redress deprivation of rights, privileges and immunities guaranteed to decedent Marlon Laneir Watkins, by constitutional and statutory provisions. Plaintiff further invokes the supplemental jurisdiction of this Court pursuant to 28 U.S.C § 1367 to adjudicate potential pendent claims arising under the laws of the State of Texas or Arkansas.
6. Jurisdiction and venue are proper in this court pursuant to diversity jurisdiction and the fact that Chilanda Kay Yancy is a citizen of the United States and a resident of Arkansas and the Defendant(s) are residents of the State of Texas and a political subdivision of the State of

Texas.

IV. **FACTS**

7. At a little afternoon on Wednesday, March 24, 2021, Marlon Laneir Watkins had an argument with a young lady named Avery Chavaria at his home at the 5700 blk of Greenhouse Road in Katy, Texas 77449. (See Attachment "A"). The Harris County Sheriff's Office Officers were dispatched and responded to the scene. Quickly thereon, the Harris County Sheriff's Officer G.H Davila engaged in an altercation with Marlon Laneir Watkins. He was subsequently tased and then pursued him into the street where he was struck and killed by a vehicle owned by a John Doe (fictitious name, the Plaintiff still has not been made aware of the owner or liability insurer of the vehicle that struck and killed Marlon Laneir Watkins). The Plaintiff has also not been shown the body camera footage or dash camera footage of the entire deadly incident.
8. After the Harris County Officer(s) tased and chased of Marlon Laneir Watkins, he was struck by a vehicle and died. The death certificate reflects the cause of death for Marlon Laneir Watkins as multiple blunt force trauma. (See Attachment "B").
9. The Plaintiff paid for the funeral and funeral expenses for the interment of Marlon Laneir Watkins. (See Attachment "C").
10. The Plaintiff was also presented with a medical bill for medical services performed for and on behalf of Marlon Laneir Watkins. (See attachment "D").
11. A domestic disturbance call should not result in death from the interaction with police. The Harris County Sheriff's Officer G.H. Davila acting under color of law tased and then chased Mr. Watkins into oncoming traffic.
12. There is no evidence that Mr. Watkins or anyone else was in danger of imminent death or

great bodily harm when the Harris County Officers arrived on the scene. We have no evidence that Mr. Watkins posed any risk to anyone when he was tased and chased into oncoming traffic. Defendants' lack of training offerings and official customs and procedures led directly to Harris County Officer G.H. Davila's unlawful and unwarranted acts. As a direct and proximate result of the Defendant's conduct, the Plaintiff has sustained substantial damages and extensive pecuniary loss. Mr. Watkins was thirty (30) years old when he was killed on March 24, 2021 and was a talented young man and a young man whose life had promise and potential. He was in good health, with a reasonable life expectancy of living another 55 years to an age of 85 years old. Mr. Watkins life ended in a tragic and violent manner. He leaves Chilanda Kay Yancy to cherish his memory.

13. During his lifetime, Marlon Watkins was industrious and energetic and a great son. He performed numerous and usual tasks in/about the family residence in Sherwood and gave advice, counsel, comfort, care and protection to his mother and family. In all reasonable probability and likelihood, he would have continued all of these actions and behaviors. Marlon Watkins wanted to better his life and pursue his lifelong dreams.
14. Marlon's mother suffered pecuniary loss from the death of her son by virtue of the destruction of the parent-child relationship, including the right to love, affection, solace, comfort, companionship, society, emotional support and happiness. His mother has suffered and will suffer anguish, grief and sorrow as a result of her son's death and is likely to suffer for a long time in the future. For these losses, the Plaintiff seeks damages in a sum in excess of the minimum jurisdictional limits of this Court.
15. Upon information and belief, the Harris County Sheriff's Office has not implemented policies and procedures to aggressively curtail death and/or injuries as a result of the

improper use of deadly force and have not disciplined officers involved in the cover up of a crime.

EXCESSIVE FORCE BY DEFENDANT(s) (Individually and in their official capacity)

COUNT I- 42 U.S.C. § 1983

16. Plaintiff incorporates by reference paragraphs 1 through 15 as if fully set forth herein. The Plaintiff will show that Defendant Davila's actions on the occasion in question were wrongful, malicious and reckless in depriving Watkins of his constitutional rights, as alleged more fully below.
17. Plaintiff will show that at all times material hereto, Defendant Davila had a duty to avoid infliction of unjustified bodily injury to Marlon Watkins, to protect his bodily integrity and to not trample on his constitutional rights.
18. Plaintiff will show that Defendant Davila failed to act as a reasonable officer would have acted in the same or similar circumstances. That is, Defendant Davila, without justification or need to do so, used excessive force as described above that led to the killing of Marlon Watkins without legal justification. Watkins did not pose an immediate threat to the safety of Defendant Davila or others at the time that he was tased and chased into oncoming traffic.
19. Defendant Davila was not provoked when he tased Marlon Watkins. Watkins then reasonably and unremarkably fled from the tasing officer. In his flight, he was immediately struck by a vehicle owned by separate Defendant John Doe and died. The excessive force used by the Defendants was not reasonable or justified nor was it necessary under the circumstances.
20. Defendant Davila's actions were not objectively reasonable because he followed a procedure

from his superiors designed to inflict excessive and deadly force in restraining individuals in non-life-threatening situations.

21. Plaintiff will show that Defendant Davila denied Marlon Watkins his right to be free from the use of excessive force in violation of the Fourth Amendment to the United States Constitution.
22. The force used by Defendant Davila was unnecessary, excessive and unreasonable under the circumstances, as Marlon Watkins did not pose an immediate threat to the safety of Defendant Davila or others and the use of such excessive force was wholly unnecessary. Defendant Davila embarked on a willful, malicious, reckless and outrageous course of conduct that was intended to cause and in fact, caused Marlon Watkins to suffer extreme and severe mental and emotional distress, agony and anxiety.
23. As a result of these Constitutional violations to Marlon Watkins and the injuries that he sustained, Plaintiff seeks compensation as set forth more specifically in the section of this Complaint entitled “damages”.

FAILURE TO TRAIN BY THE HARRIS COUNTY SHERIFF’S OFFICE

COUNT II- 42 U.S.C. § 1983

24. Plaintiff incorporates by reference paragraphs 1 through 23 as if fully set forth herein. Prior to March 24, 2021, the Harris County Sheriff’s Office knew or should have known that Defendant Davila exhibited a pattern of escalating encounters with the public.
25. Defendant Davila and other officers at the scene of the incident were acting under color of law and acting pursuant to the customs, practices and policies of the Harris County Sheriff’s Office regarding the use of force as authorized and/or ratified by the Policymakers, specifically the Harris county government, the Harris County Sheriff’s Office and Sheriff Ed

Gonzales. Marlon Watkins was deprived of the rights and privileges secured to him by the United States Constitution and by other laws of the United States and by the Harris County Sheriff's office failing to provide proper training, adequate supervision or discipline in dealing with individuals such as Marlon Watkins in violation of 42 U.S.C. § 1983 and related provisions of federal law and in violation of the above cited provisions.

26. With respect to the claims made as the basis for this lawsuit, the Harris County Sheriff's Office and the government of Harris County and Sheriff Ed Gonzales failed to adequately train their officers on how to deal with individuals and the subsequent use of force. The failure to train their officers in relevant respect reflects a deliberate indifference to the Policymakers' obligation to preserve and protect the rights of the inhabitants and guests of Harris County and is actionable under 42 U.S.C. § 1983.
27. Defendant Harris County government and Harris County Sheriff's Office under the direction of Sheriff Ed Gonzales developed and maintained a policy of deficient training of its police force in the proper and appropriate use of force. The Harris County Sheriff's Office training regimen was designed and implemented under Sheriff Ed Gonzales under the auspices of Harris County government.
28. The Policymakers failure to provide adequate training to its officers on how to deal with individuals and the subsequent use of force reflect deliberate indifference by the Policymakers and reckless and conscious disregard for the obvious and expected risks that officers would use excessive force on citizens and guests of Harris County and therefore made violations of Marlon Watkins' constitutional rights, including his death, a reasonable probability.
29. Plaintiff will show that Defendant Davila's actions were the result of, or within the scope of,

wrongful and reckless customs, policies, practices and/or procedures for which the Harris County Sheriff's Office, Harris County government and Harris County Sheriff Ed Gonzales knew or should have known but never adequately provided the requisite and proper training to curtail.

30. The Harris County Sheriff's Office and Harris County Sheriff Ed Gonzales and Harris County government's failure to properly train and discipline its officers was the proximate cause of the violations of Marlon Watkins' constitutional rights.

FAILURE TO ADEQUATELY SUPERVISE OR DISCIPLINE AND RATIFICATION
CLAIM

COUNT III

31. Plaintiff incorporates by reference paragraphs 1 through 30 as if fully set forth herein.
32. On Plaintiff's governmental liability claim against the Harris County government and the Harris County Sheriff's Office for failing to supervise or discipline its officers for prior violations and the resulting lack of supervision:
- a. The Harris County Sheriff's Office and the Harris County government failed to adequately supervise its employees in handling usual and recurring situations with which they deal;
 - b. The Harris County Sheriff's Office was deliberately indifferent to the need to supervise and/or discipline its officers and/or employees adequately; and
 - c. The failure to adequately supervise and/or discipline its officers proximately caused a deprivation of Marlon Watkins' constitutional rights.
33. As a direct and proximate result of the Harris County government's and the Harris County Sheriff's Office's failure to adequately supervise or discipline its officers, the Plaintiff has suffered damages.

PUNITIVE/EXEMPLARY DAMAGES

34. Plaintiff incorporates by reference paragraphs 1 through 33 as if fully set forth herein.

Additionally, and in the alternative, the conduct of Defendant Davila and Defendant Gonzales were done with malice. As such, Plaintiff requests punitive and exemplary damages to deter this type of conduct in the future. Such heedless and reckless disregard for Marlon Watkins' rights, safety and welfare was more than momentary thoughtlessness, inadvertence or misjudgment it was willful and indifferent. The willful and shameful refusal to inform a grieving family of any details about the violent and bloody death of their loved one and to instead cloak the matter around a non-existent "on-going criminal investigation" to prevent disclosure was horrific. Such unconscionable conduct goes beyond ordinary negligence, and as such, the Plaintiff requests punitive and exemplary damages be awarded against Defendant Davila and Defendant Sheriff Ed Gonzales in a sum which is within the jurisdictional limits of this Court.

SURVIVAL ACTION

35. Plaintiff incorporates by reference paragraphs 1 through 34 as if fully set forth herein.

36. Plaintiff Chilanda Kay Yancy is the representative for the Estate of Marlon Laneir Watkins, Jr.

37. Marlon Watkins died as a result of the Defendants' wrongful conduct.

38. Mr. Watkins would have been entitled to bring this action against the Defendants if he had lived.

39. The Decedent's right of action for the wrongful conduct against the Defendants survive in favor of heirs, legal representatives and the Estate of the deceased.

40. Defendants are liable to Plaintiff for the loss of Marlon Watkins life, pain and suffering and

the violation(s) of his civil rights. Plaintiff seeks compensation as set forth more specifically in the section of this Complaint entitled “Damages”.

WRONGFUL DEATH

41. The Plaintiff incorporates by reference the information contained in paragraphs 1 through 40 as if fully set forth herein.
42. By reason of Defendant Davila’s wrongful conduct and John Doe’s striking with his vehicle and killing Marlon Watkins, the Defendants are liable for damages.
43. Defendant Davila’s conduct and the striking of Mr. Watkins by the vehicle owned and driven by John Doe caused Watkins’ death was the producing cause of Watkins’ injuries which resulted in the following damages: loss of family relationships, love, support, services, emotional pain and suffering and for their acts and those of Defendant Sheriff Ed Gonzalez of the infliction of emotional distress caused by the wrongful killing of Marlon Watkins and the subsequent obfuscation of the facts surrounding his killing.
44. The Plaintiff seeks compensation as set forth more specifically in the section of this Complaint entitled “Damages”.

DAMAGES ALL DEFENDANTS

45. The Plaintiff incorporates by reference paragraphs 1 through 44 as if fully set forth herein. Defendants’ acts and/or omissions were the proximate cause of the following injuries suffered by the Plaintiff and the Decedent:
- a. Actual damages;
 - b. Loss of affection, comfort, financial assistance, protection and care;
 - c. Pain and suffering and mental anguish suffered by Marlon Watkins immediately

prior to his death;

- d. Mental anguish and emotional distress suffered by the Plaintiff;
- e. Loss of quality of life;
- f. Funeral and burial expenses;
- g. Loss of service;
- h. Medical bills;
- i. Loss of future earnings and contributions to Plaintiff;
- j. Exemplary and punitive damages as well as court costs;
- k. Pursuant to 42 U.S.C. §1988 and other applicable laws, Plaintiff should be awarded reasonable attorney's fees for the preparation and trial of this cause(s) of action and for its appeal, if required;
- l. Prejudgment interest; and
- m. Post judgment interest.

46. The Plaintiff seeks total damages of fifteen million dollars (\$15,000,000.00).

COSTS AND ATTORNEY FEES

47. The Plaintiff incorporates by reference paragraphs 1 through 46 as if fully set forth herein. Plaintiff is entitled to an award of attorney fees and costs under 42 U.S.C. § 1988(b). As such, Plaintiff requests that this Court award costs and attorney fees incurred in Plaintiff's prosecution of this litigation.

JOINT AND SEVERAL LIABILITY

48. Plaintiff incorporates by reference paragraphs 1 through 47 as if fully set forth herein.

Plaintiff will show that the Defendants were jointly and severally liable for the gross negligence and intentional acts specified above that were the proximate cause of the Plaintiff's injuries.

CONDITIONS PRECEDENT

49. Plaintiff reserves the right to plead and prove the damages to which they are entitled to at the time of trial. All conditions to Plaintiff's recovery have been performed or have occurred.

TRIAL BY JURY

50. Plaintiff demands a trial by jury upon all issues.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the Defendants be cited to appear and answer herein; that upon final trial hereof, the Plaintiff has and recovers judgment from Defendants; actual damages, exemplary damages, pre-judgment interest at the legal rate; interest on said judgment at the legal rate; costs of Court; and such other relief, both general and special, at law and equity, to which the Plaintiff is justly entitled.

Respectfully Submitted,

DEVINE LEGAL SERVICES

By: 

Marcus Devine (98-097)

Attorney for Plaintiff, Chilanda Kay Yancy, Personal
Representative for the Estate of Marlon Laneir
Watkins Jr., deceased

Devine Legal Services

421 Fern Avenue

Little Rock, Arkansas 72205

(479) 402-0575

marcdevine612@icloud.com

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT COURT OF ARKANSAS
CENTRAL DIVISION**

**CHILANDA KAY YANCY, Individually and as the Mother of ;
MARLON LANEIR WATKINS, Deceased Individual, ;
And as Representative of the ESTATE of MARLON ;
LANEIR WATKINS ;
PLAINTIFF ;**

vs. ;

CIVIL ACTION CASE NO.: ;

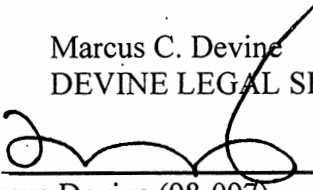
COMPLAINT ;

**SHERIFF ED GONZALEZ, Individually and in his OFFICIAL; ;
CAPACITY AS Sherriff of HARRIS COUNTY, TEXAS ;
and THE HARRIS COUNTY GOVERNMENT and ;
THE HARRIS COUNTY SHERRIFF'S OFFICE and ;
G.H. DAVILA, Officer # S27609 and JOHN DOE, Owner of ;
Vehicle that struck and killed Marlon Watkins ; JURY TRIAL DEMANDED ;
DEFENDANT(s) ;**

PROOF OF SERVICE

I, Marcus C. Devine and the Plaintiff's Attorney of Record in this lawsuit and I served the summons and complaint on the Defendants, pursuant to Rule 4 of the North Carolina Rules of Civil Procedure via () by certified mail, return receipt requested, restricted delivery as shown by the attached signed return receipt.

Marcus C. Devine
DEVINE LEGAL SERVICES

By: 

Marcus Devine (98-097)
Attorney for Plaintiff
Devine Legal Services
421 fern Avenue
Little Rock, Arkansas 72205
(479) 402-0575

Devine Legal Services
Marcus C. Devine
421 Fern Avenue
Little Rock, AR 72205
479.402.0575
marcdevine612@icloud.com

September 3, 2021

A

PUBLIC COPY

PROPERTY

Incident Report Additional Name List*Harris County Sheriff's Office*

OCA: 2103-09341

Additional Name List

	Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1							
2							

INCIDENT/INVESTIGATION REPORT

Harris County Sheriff's Office

Case # 2103-09341

Status Codes	1 = None	2 = Burned	3 = Counterfeit / Forged	4 = Damaged / Vandalized	5 = Recovered	6 = Seized	7 = Stolen	8 = Unknown
D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type		Up to 3 types of activity	

Assisting Officers

GILLILAND, T. (S27167), SHELTON, T.R. (S14044), HERRING, P.M. (S28140), COLEMAN, D.W. (S27584), FRAZIER, B. (S15470), FRAZIER, B. (S15470), SATTERFIELD, J.L. (S28006), ANDRADE, A.L. (S00433), BAILEY-TILLMAN, D.T. (S29531), BAILEY-TILLMAN, D.T. (S29531), OLAGUNJU, A.E. (S29208), ELIZONDO, N.O. (S28106), BELL, J.J. (S28721), WATERS, S.C. (S00272), RODRIGUEZ, R. (S29620), MOOK, C.A. (S27939), MOOK, C.A. (S27939), BALAEI, S.J. (S29626), ESPINOZA, E.A. (S28776), ESPINOZA, E.A. (S28776), EDWARDS III, C.R. (S29629), SCHIELDS, R.R. (S27124), BRAWNER, B.A. (S16530), VININGRE, J.B. (S15002), MIKEL, P.A. (S27359), MURPHY, M.T. (S16243), PERKINS, C.W. (S27332), MCCONNELL, A.A. (S16931), GARCIA, V. (S00565), GARCIA, V. (S00565), WOELK, S.M. (S26808), CHENG, S.C. (S26977), CHENG, S.C. (S26977), CABRERA, J.R. (S26310), JACKSON, T.L. (S27974), AMAD, M.W. (S00090), VILLARREAL, J.J. (S27983), CAMPOS, S.R. (S00773), VERA, A. (S15124), WYATT, W.W. (S16325), BROWN, J.M. (S27191), KIRKLEY, T. (S27030), KIRKLEY, T. (S27030), DAVIS, C.J. (S00924), KATRIB, B. (S27745)

Suspect Hate / Bias Motivated: NONE (NO BIAS)

INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 2103-09341

Harris County Sheriff's Office

NARRATIVE

complainant was assaulted by a known suspect who evaded and was struck by a vehicle.

CERTIFICATION OF VITAL RECORD

CITY OF HOUSTON

EXHIBIT

B

TEXAS DEPARTMENT OF STATE HEALTH SERVICES - VITAL STATISTICS
Apr 02 2021

STATE FILE NUMBER 142-21-068338

STATE OF TEXAS CERTIFICATE OF DEATH

1. LEGAL NAME OF DECEASED (Include AKA's, if any) (Print, Middle, Last)
MARLON LANEIR WATKINS JR.

2. DATE OF DEATH - ACTUAL OR PRESUMED (mm-dd-yyyy)
MARCH 24, 2021

3. SEX
MALE

4. DATE OF BIRTH (mm-dd-yyyy)
SEPTEMBER 6, 1980

5. AGE-Last Birthday (Years)
30

6. RACE
Hispanic or Latino

7. SOCIAL SECURITY NUMBER
425-79-1487

8. MARITAL STATUS AT TIME OF DEATH
☐ Married ☐ Widowed (and not remarried) ☐ Divorced (and not remarried) ☒ Never Married ☐ Unknown

9. SURVIVING SPOUSE'S NAME (If spouse, give name prior to first marriage)
BRYANT

10a. RESIDENCE STREET ADDRESS
3408 MEADOW CREEK DR

10b. APT. NO.
10c. CITY OR TOWN
BRYANT

10d. COUNTY
SALINE

10e. STATE
ARKANSAS

10f. ZIP CODE
72022

10g. INSIDE CITY LIMITS
☒ Yes ☐ No

11. FATHER/PARENT'S NAME PRIOR TO FIRST MARRIAGE
MARLON LANEIR WATKINS SR.

12. MOTHER/PARENT'S NAME PRIOR TO FIRST MARRIAGE
CHILANDRA KAY FARMER

13. PLACE OF DEATH (Check only one)
☐ Inpatient ☒ Outpatient ☐ DCA ☐ Hospice Facility ☐ Nursing Home ☐ Decedent's Home ☐ Other (Specify)

14. COUNTY OF DEATH
HARRIS

15. CITY/TOWN, ZIP (IF OUTSIDE CITY LIMITS, GIVE PRECINCT NO.)
PRECINCT 6, 77484

16. FACILITY NAME (If not institution, give street address)
MEMORIAL HERMANN KATY HOSPITAL

17. INFORMANT'S NAME & RELATIONSHIP TO DECEASED
CHILANDRA YANCY - MOTHER

18. MAILING ADDRESS OF INFORMANT (Street and Number, City, State, Zip Code)
1008 SILVER CREEK DR, SHERWOOD, AR 72120

19. METHOD OF DISPOSITION
☐ Burial ☐ Cremation ☐ Donation ☐ Entombment ☒ Removal from state ☐ Mausoleum ☐ Other (Specify)

20. SIGNATURE AND LICENSE NUMBER OF FUNERAL DIRECTOR OR PERSON ACTING AS SUCH
ROBERT DAVIS, BY ELECTRONIC SIGNATURE - 05781

21. SIGNATURE OF DECEASED
[Signature]

22. PLACE OF DISPOSITION (Name of cemetery, crematory, other place)
ARKANSAS MEMORIAL GARDEN

23. LOCATION (City/Town, and State)
NORTH LITTLE ROCK, AR

24. NAME OF FUNERAL FACILITY
KIRK MORTUARY SERVICE

25. COMPLETE ADDRESS OF FUNERAL FACILITY (Street and Number, City, State, Zip Code)
2017 AIRLINE DR, HOUSTON, TX 77009

26. CERTIFIER (Check only one)
☐ Certifying Physician-To the best of my knowledge, death occurred due to the cause(s) and manner stated.
☒ Medical Examiner/Jurist of the Peace-On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner stated.

27. SIGNATURE OF CERTIFIER
MARIANNE E. BEYNON, M.D., BY ELECTRONIC SIGNATURE

28. DATE CERTIFIED (mm-dd-yyyy)
MARCH 28, 2021

29. LICENSE NUMBER
91788

30. TIME OF DEATH (Actual or presumed)
01:44 PM

31. PRINTED NAME, ADDRESS OF CERTIFIER (Street and Number, City, State, Zip Code)
MARIANNE E. BEYNON, M.D. 1881 OLD SPANISH TRAIL, HOUSTON, TX 77054

32. TITLE OF CERTIFIER
ASST. M.E.

33. PART 1. ENTER THE CHAIN OF EVENTS - DISEASES, INJURIES, OR COMPLICATIONS - THAT DIRECTLY CAUSED THE DEATH. DO NOT ENTER TERMINAL EVENTS SUCH AS CARDIAC ARREST, RESPIRATORY ARREST, OR VENTRICULAR FIBRILLATION WITHOUT SHOWING THE ETIOLOGY. DO NOT ABBREVIATE. ENTER ONLY ONE CAUSE ON EACH.

IMMEDIATE CAUSE (Final disease or condition resulting in death)
a. MULTIPLE BLUNT FORCE INJURIES
Due to (or as a consequence of):
b. Due to (or as a consequence of):
c. Due to (or as a consequence of):
d. Underlying Cause (Disease or injury that initiated the events resulting in death) LAST

34. WAS AN AUTOPSY PERFORMED?
☒ Yes ☐ No

35. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?
☒ Yes ☐ No

36. MANNER OF DEATH
☐ Natural ☐ Accident ☐ Suicide ☐ Homicide ☒ Pending Investigation ☐ Could Not Be Determined

37. DID TOBACCO USE CONTRIBUTE TO DEATH?
☐ Yes ☒ No

38. IF FEMALE:
☐ Not pregnant within past year
☐ Pregnant at time of death
☐ Not pregnant, but pregnant within 43 days of death
☐ Not pregnant, but pregnant 43 days to 1 year before death
☐ Unknown if pregnant within the past year

39. IF TRANSPORTATION INJURY, SPECIFY:
☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Other (Specify)

40a. DATE OF INJURY (mm-dd-yyyy)
MARCH 24, 2021

40b. TIME OF INJURY
01:01 PM

40c. INJURY AT WORK?
☐ Yes ☒ No

40d. PLACE OF INJURY (e.g. Decedent's home, construction site, restaurant, wooded area)
ROADWAY

40e. LOCATION (Street and Number, City, State, Zip Code)
6700 BLOCK OF GREENHOUSE ROAD, PRECINCT 6, TX 77448

40f. COUNTY OF INJURY
HARRIS

41. DESCRIBE HOW INJURY OCCURRED
PEDESTRIAN STRUCK BY A SPORT UTILITY VEHICLE WHILE RUNNING FROM LAW ENFORCEMENT

42a. REGISTRAR FILE NO.
02007784

42b. DATE RECEIVED BY LOCAL REGISTRAR
APRIL 2, 2021

42c. REGISTRAR
REGISTRAR - CITY OF HOUSTON, ELECTRONICALLY FILED

AMENDMENT TO MEDICAL CERTIFICATION OF CERTIFICATE OF DEATH

STATE OF TEXAS

STATE FILE NUMBER 142-21-068338

ENTER NAME OF DECEASED AND PLACE OF DEATH EXACTLY AS SHOWN ON ORIGINAL DEATH CERTIFICATE

NAME OF DECEASED
MARLON LANEIR WATKINS JR.

DATE OF DEATH
MARCH 24, 2021

PLACE OF DEATH (City or Town and County)
PRECINCT 6 HARRIS

IS THE DATE OF DEATH BEING CORRECTED?
☐ Yes ☒ No

26. CERTIFIER (Check only one):
☐ Certifying Physician-To the best of my knowledge, death occurred due to the cause(s) and manner stated.
☒ Medical Examiner/Jurist of the Peace-On the basis of examination, and/or investigation, in my opinion, death occurred at the time, date and place, and due to the cause(s) and manner stated.

27. SIGNATURE OF CERTIFIER
MARIANNE E. BEYNON, M.D., BY ELECTRONIC SIGNATURE

28. DATE CERTIFIED (mm-dd-yyyy)
JUNE 23, 2021

29. LICENSE NUMBER
91788

30. TIME OF DEATH (Actual or presumed)
01:44 PM

31. PRINTED NAME, ADDRESS OF CERTIFIER (Street and Number, City, State, Zip Code)
MARIANNE E. BEYNON, M.D. 1881 OLD SPANISH TRAIL, HOUSTON, TX 77054

32. TITLE OF CERTIFIER
ASST. M.E.

33. PART 1. ENTER THE CHAIN OF EVENTS - DISEASES, INJURIES, OR COMPLICATIONS - THAT DIRECTLY CAUSED THE DEATH. DO NOT ENTER TERMINAL EVENTS SUCH AS CARDIAC ARREST, RESPIRATORY ARREST, OR VENTRICULAR FIBRILLATION WITHOUT SHOWING THE ETIOLOGY. DO NOT ABBREVIATE. ENTER ONLY ONE CAUSE ON EACH.

IMMEDIATE CAUSE (Final disease or condition resulting in death)
a. MULTIPLE BLUNT FORCE INJURIES
Due to (or as a consequence of):
b. Due to (or as a consequence of):
c. Due to (or as a consequence of):
d. Underlying Cause (Disease or injury that initiated the events resulting in death) LAST

34. WAS AN AUTOPY PERFORMED?
☒ Yes ☐ No

35. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH?
☒ Yes ☐ No

36. MANNER OF DEATH
☐ Natural ☐ Accident ☐ Suicide ☐ Homicide ☒ Pending Investigation ☐ Could Not Be Determined

37. DID TOBACCO CONTRIBUTE TO DEATH?
☐ Yes ☒ No

38. IF FEMALE:
☐ Not pregnant within past year
☐ Pregnant at time of death
☐ Not pregnant, but pregnant within 43 days of death
☐ Not pregnant, but pregnant 43 days to 1 year before death
☐ Unknown if pregnant within the past year

39. IF TRANSPORTATION INJURY, SPECIFY:
☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Other (Specify)

40a. DATE OF INJURY (mm-dd-yyyy)
MARCH 24, 2021

40b. TIME OF INJURY
01:01 PM

40c. INJURY AT WORK?
☐ Yes ☒ No

40d. PLACE OF INJURY (e.g. Decedent's home, construction site, restaurant, wooded area)
ROADWAY

40e. LOCATION (Street and Number, City, State, Zip Code)
6700 BLOCK OF GREENHOUSE ROAD, PRECINCT 6, TX 77448

40f. COUNTY OF INJURY
HARRIS

41. DESCRIBE HOW INJURY OCCURRED
PEDESTRIAN STRUCK BY A SPORT UTILITY VEHICLE WHILE RUNNING FROM LAW ENFORCEMENT

42a. REGISTRAR FILE NO.
02007784

42b. DATE FILED
JUNE 23, 2021

42c. STATE REGISTRAR
[Signature]

0700036227

This is a true and correct copy of the record as registered in the State of Texas. Issued under the authority of Section 191.051, Health and Safety Code.

ISSUED

JUL 08 2021

WARNING: THIS DOCUMENT HAS A DARK BLUE BORDER AND A COLORED BACKGROUND

S. Kellen Sweny
Local Registrar

EXHIBIT

C**Superior Funeral Services**

5017 East Broadway, North Little Rock, AR 72117 (501) 945-9922

SERVICE 2021

NAME: Marlon Watkins

DATE OF DEATH: 3/24/2021

PLACE OF DEATH: Houston TX

Charges are only for those items that you have selected or that are required. If we are required by law or by a cemetery to use any items, we will explain the reasons in writing below. If you have selected a funeral that may require embalming such as a funeral with viewing. You may have to pay for embalming.

You do not have to pay for embalming, if you did not approve or you have selected arrangements such as a direct cremation or immediate burial. If you are charged for embalming, we will explain why below.

STATEMENT OF FUNERAL GOODS AND SERVICES SELECTED**A. CHARGES FOR SERVICES**

1. Professional Services:	\$2,195.00
Funeral Director & Staff	
Embalming	
Other Care of Remains	\$175.00

SUBTOTAL \$2,370.00**2. Facilities & Equipment:**

Facilities For Viewing	\$150.00
Funeral Ceremony at Church/Chapel	\$150.00
Memorial Ceremony at Chapel	
Graveside Services	

SUBTOTAL \$300.00**3. Automotive Equipment:**

Transfer of Remains to F.H.	\$797.19
Funeral Home (Hearse)	\$350.00
Family Limousine	1 included
Additional Limousine (X-Limo)	\$0.00

SUBTOTAL \$1,147.19**TOTAL** \$3,817.19**B. CHARGES FOR MERCHANDISE:**

Casket	20 Gauge	\$1,295.00
Outer Container		
Casket (head panel)		
URN &		
Wearing Apparel		
Shipping Container		
Headstone		
Temporary Gravemarker		

TOTAL \$1,295.00**C. SPECIAL CHARGES:**

Forwarding of Remains to register book	\$45.00
Receiving of Remains from Hospital	\$1,561.00
Immediate Burial	
Direct Cremation	
	<u>\$1,606.00</u>

D. CASH ADVANCES:

Newspaper	\$95.00
Programs	200 bklets @ \$470.00
CEMETERY	AMG \$1,295.00
Casket Spray	\$300.00
Escort	
Death Certificate	4@ \$41
TOTAL	<u>\$2,201.00</u>

A. Charges For Services	\$3,817.19
B. Charges For Merchandise	\$1,295.00
C. Special Charges	\$1,606.00
D. Cash Advances	\$2,201.00
CHARGES BEFORE TAX	<u>\$8,919.19</u>
E. Sale Tax	\$53.00

Total Funeral Home Charges	<u>\$8,972.19</u>
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LESS CREDIT AND PREPAYMENT:

Service Discount	
Burial Insurance	
Life Insurance	
Down Payment	
Total Credit	<u>\$0.00</u>
Balance Due	<u>\$8,972.19</u>

Reason for Embalming viewing

X _____

Relationship to Deceased _____

EXHIBIT

D

MHHS SOUTHWEST HOSPITAL 7600 BEECHNUT HOUSTON TX 770744302 7133385502										MHHS SOUTHWEST HOSPITAL P O BOX 301208 DALLAS TX 753031208										33 PAT. CMTL # 02328970BSW 34 MED. REC. # 0468180717500BSW 35 FPD, TAX NO. 741152597 36 STATEMENT COVERS PERIOD FROM 021220 THROUGH 021220 37 SUX										38 TIME PERIOD 131																																							
39 PATIENT NAME WATKINS, MARLON										40 PATIENT ADDRESS HOUSTON TX 77082 USA										41 APT 602 11355 RICHMOND AVE																																																	
42 BIRTHDATE 09061990 M										43 SEX M										44 DATE 01 09										45 CONDITION CODES										46 STATE TX																													
47 OCCURRENCE DATE 11 021220										48 OCCURRENCE DATE 11 021220										49 OCCURRENCE DATE 11 021220										50 OCCURRENCE DATE 11 021220										51 ER HX																													
52 SUPERIOR HP AMBETTER PO BOX 5010 FARMINGTON, MO 636405010										53 VALUE CODES a b c d										54 VALUE CODES a b c d										55 VALUE CODES a b c d																																							
56 REV. CO.										57 DESCRIPTION										58 HCPCS / RATE / HPCS CODE										59 SERV. DATE										60 SERV. UNITS										61 TOTAL CHARGES										62 NON-COVERED CHARGES									
0250 PHARMACY										87086										021220										5										19 00																													
0306 LAB/BACT-MICRO										87491										021220										1										224 75																													
0306 LAB/BACT-MICRO										87591										021220										1										293 75																													
0306 LAB/BACT-MICRO										81001										021220										1										272 25																													
0307 LAB/UROLOGY										96372										021220										1										212 75																													
0450 EMERGENCY ROOM										9928425										021220										1										331 75																													
0450 EMERGENCY ROOM										J0696										021220										1										2608 75																													
0636 N400781320695UN1																				021220										1										12 00																													
0001 PAGE 1 OF 1										CREATION DATE 021920										TOTALS										3975 00																																							
63 PRYER NAME SUX SUPERIOR HP AMBETT										64 HEALTH PLAN ID										65 PRIOR PAYMENTS										66 EST. AMOUNT DUE										67 NPI 1730132234										68 OTHER PRV ID 450184																			
69 INSURED'S NAME WATKINS, MARLON										70 REL 18										71 INSURED'S UNIQUE ID 429791487										72 GROUP NAME										73 INSURANCE GROUP NO.																													
74 TREATMENT AUTHORIZATION CODES										75 DOCUMENT CONTROL NUMBER										76 EMPLOYER NAME																																																	
77 N341																																																																					
78 ADMIT DX										79 PATIENT REASON DX N341										80 PPS CODE										81 EQ										82																													
83 PRINCIPAL PROCEDURE CODE										84 OTHER PROCEDURE CODE										85 ATTENDING NPI 1669797619										86 QUAL										87 LAST LARKIN										88 FIRST JOHN																			
89 OPERATING CODE										90 OTHER PROCEDURE CODE										91 OPERATING NPI 1669797619										92 QUAL										93 LAST LARKIN										94 FIRST JOHN																			
95 OTHER PROCEDURE CODE										96 OTHER PROCEDURE CODE										97 OTHER NPI										98 QUAL										99 LAST										100 FIRST																			
101 REMARKS										102 B3282N00000X										103 LAST										104 FIRST										105 LAST										106 FIRST																			



Release of Information - Billing Department
 Tax Id#: 74-1152597
www.memorialhermann.org/mhrelease

Invoice Date: 06/02/2021
 MHR No: 793220
 Portal Code: XQTUN53D

CHILANDA K YANCY
 1006 SILVER CREEK DR, SHERWOOD ARKANSAS 72120

Records will be shipped to:

CHILANDA K YANCY
 1006 SILVER CREEK DR, SHERWOOD
 ARKANSAS 72120

Patient Name: WATKINS, MARLON
 Dates of Service: 03/24/2021 to 03/24/2021

Patient DOB: 09/06/1990
 Claim No:

Description	Quantity	Units (\$)	Amount (\$)
Patient access charge: 1 page- paper	1	6.5000	6.50
USPS Cardboard Envelope	1	0.6700	0.67
Total			7.17
Less: Payments			7.17
Outstanding Amount			0.00

Please return this portion of the invoice with payment.
 To make a credit card payment access the requestor portal @
www.memorialhermann.org/mhrelease
 Please allow 3 hours for updates to the portal
 \$35 Fee for all returned checks.

MHR No:	793220
Amount Due:	\$0.00
Amount Paid:	
Check No:	

Memorial Hermann Health System
 Release of Information - Billing Department
 7737 SW Fwy. C-94
 Houston TX 77074